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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,155	09/10/2003	James A. Van Bosch	IS01132TC-01	3723

  

64588	7590	02/05/2008
CONTINENTAL AUTOMOTIVE SYSTEMS, TEMIC AUTOMOTIVE OF NORTH AMERICA, INC. 21440 WEST LAKE COOK ROAD 7TH FLOOR DEER PARK, IL 60010		

  

EXAMINER
GAUTHIER, GERALD

  

ART UNIT	PAPER NUMBER
2614	

  

MAIL DATE	DELIVERY MODE
02/05/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/659,155

Applicant(s)

VAN BOSCH ET AL.

Examiner

Gerald Gauthier

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 9/10/03.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-16** are rejected under 35 U.S.C. 102(e) as being anticipated by Koch et al. (US 2004/0076177 A1).

Regarding **claims 1 and 12**, Koch discloses a client device (FIG. 1) comprising:

a network access device having at least a powered state and a power-off state, the powered state allowing the network access device to receive messages over a communication channel, the power-off state not allowing the network access device to receive messages over the communication channel, the network access device determines whether wireless coverage exists for the network access device and provides an indication of an out-of-coverage condition (paragraph 0033); and

a controller that determines time periods for the network access device to be in the powered state, the time periods based on a discontinuous reception parameter obtained from the network access device, the controller also switching the network

access device to the power-off state if there is an out-of-coverage condition for the network access device (paragraph 0053).

Regarding **claims 2 and 13**, Koch discloses a client device wherein the network access device indicates an out-of-coverage condition to the controller using a ring indicator (paragraph 0055).

Regarding **claims 3 and 14**, Koch discloses a client device wherein the network access device indicates an out-of-coverage condition to the controller using any signal on a communication bus therebetween (paragraph 0036).

Regarding **claims 4 and 15**, Koch discloses a client device wherein upon notice of the out-of-coverage condition from the network access device, the controller will be switched to a power-on state (paragraph 0055).

Regarding **claims 5 and 16**, Koch discloses a client device wherein upon indication of an out-of-coverage condition, the controller polls the network access device (paragraph 0037).

Regarding **claims 6 and 17**, Koch discloses a client device wherein the out-of-coverage condition is only indicated to the controller when the controller is in a power-off state (paragraph 0055).

Regarding **claims 7 and 18**, Koch discloses a client device wherein upon an out-of-coverage indication from the network access device, the controller waits a predetermined amount of time to determine if the network access device goes back into wireless coverage before directing the change of any power states (paragraph 0038).

Regarding **claim 8**, Koch discloses a client device wherein upon an out-of-coverage condition the network access device waits a predetermined amount of time to determine if the network access device goes back into wireless coverage before indicating the out-of-coverage condition to the controller (paragraph 0055).

Regarding **claim 9**, Koch discloses a client device wherein the client device is a Telematics unit in a vehicle, and wherein when a vehicle's ignition is turned off the controller would enable the ring indicator on the network access device and program the network access device to only activate the ring indicator when the network access device has been out-of-coverage for a predetermined amount of time (paragraph 0040).

Regarding **claim 10**, Koch discloses a client device wherein when the ignition to the vehicle is turned on and the controller is fully powered, the controller commands the network access device to disable the ring indication for out-of-coverage conditions (paragraph 0042).

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Regarding **claim 11**, Koch discloses a client device wherein upon an out-of-coverage condition, the network access device can periodically turn on to search for coverage, wherein the interval between turned-on periods lengthens over time, the network access device providing an indication to the controller when changing search periods (paragraph 0045).

### ***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gerald Gauthier/  
Primary Examiner  
Art Unit 2614

/GG/  
January 27, 2008